

**United States District Court  
Western District of Michigan (Southern Division (1))  
CIVIL DOCKET FOR CASE #: 1:18-cv-01156-JTN-ESC**

Varnum LLP v. United States Department of Labor  
Assigned to: Judge Janet T. Neff  
Referred to: Magistrate Judge Ellen S. Carmody  
Cause: 05:552 Freedom of Information Act

Date Filed: 10/09/2018  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**plaintiff**

**Varnum LLP**

represented by **Aaron M. Phelps**  
Varnum Riddering Schmidt & Howlett LLP  
(Grand Rapids)  
Bridgewater Place  
333 Bridge St., NW  
P.O. Box 352  
Grand Rapids, MI 49501-0352  
(616) 336-6257  
Email: [amphelps@varnumlaw.com](mailto:amphelps@varnumlaw.com)  
*ATTORNEY TO BE NOTICED*

V.

**defendant**

**United States Department of Labor**

represented by **Carolyn Ann Almassian**  
U.S. Attorney (Grand Rapids)  
The Law Bldg.  
330 Ionia Ave., NW  
P.O. Box 208  
Grand Rapids, MI 49501-0208  
(616) 808-2028  
Email: [Carolyn.Almassian@usdoj.gov](mailto:Carolyn.Almassian@usdoj.gov)  
*ATTORNEY TO BE NOTICED*

**intervenor**

**Blue Cross Blue Shield of Michigan Mutual  
Insurance Co.**

represented by **Andrew J. Clopton**

Jones Day  
150 W Jefferson Ave., Ste. 2100  
Detroit, MI 48226  
(313) 733-3939  
Email: [aclopton@jonesday.com](mailto:aclopton@jonesday.com)  
**ATTORNEY TO BE NOTICED**

**Arthur T. O'Reilly**

Jones Day  
150 W Jefferson Ave., Ste. 2100  
Detroit, MI 48226  
(313) 230-7925  
Email: [atoreilly@jonesday.com](mailto:atoreilly@jonesday.com)  
**ATTORNEY TO BE NOTICED**

**C. Kevin Marshall**

Jones Day (DC)  
51 Louisiana Ave., NW  
Washington, DC 20001-2113  
(202) 879-3851  
Email: [ckmarshall@jonesday.com](mailto:ckmarshall@jonesday.com)  
**ATTORNEY TO BE NOTICED**

**Rebecca D'Arcy O'Reilly**

Bodman LLP (Detroit)  
6th Fl. at Ford Field  
1901 St. Antoine St.  
Detroit, MI 48226  
Email: [roreilly@bodmanlaw.com](mailto:roreilly@bodmanlaw.com)  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
10/09/2018	<a href="#">1</a>	COMPLAINT <i>for Declaratory and Injunctive Relief</i> against United States Department of Labor filed by Varnum LLP (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3, # <a href="#">4</a> Exhibit 4, # <a href="#">5</a> Exhibit 5, # <a href="#">6</a> Exhibit 6) (Phelps, Aaron) (Entered: 10/09/2018)
10/09/2018		FILING FEE PAID re <a href="#">1</a> by plaintiff Varnum LLP in the amount of \$400, receipt number 0646-4258616 (Phelps, Aaron) (Entered: 10/09/2018)
10/11/2018	<a href="#">2</a>	NOTICE that this case has been assigned Janet T. Neff ; with NOTICE OF DEFICIENCY re corporate disclosure statement (ems) (Entered: 10/11/2018)
10/11/2018		SUMMONS NOT ISSUED as to defendant United States Department of Labor ( <i>none provided; please refer to Federal Rule of Civil Procedure 4(i) regarding service on the United States and Its Agencies, Corporations, Officers, or Employees</i> ) (ems) (Entered: 10/11/2018)
10/11/2018	<a href="#">3</a>	PROPOSED SUMMONS to be issued re <a href="#">1</a> (Phelps, Aaron) (Entered: 10/11/2018)
10/11/2018	<a href="#">4</a>	CORPORATE DISCLOSURE STATEMENT by Varnum LLP (Phelps, Aaron) (Entered: 10/11/2018)
10/12/2018		SUMMONS NOT ISSUED as to defendant United States Department of Labor ; <i>please refer to Federal Rule of Civil Procedure 4(i) regarding service on the United States and Its Agencies, Corporations, Officers, or Employees</i> (pjw) (Entered: 10/12/2018)
10/12/2018	<a href="#">5</a>	PROPOSED SUMMONS to be issued re <a href="#">1</a> (Phelps, Aaron) (Entered: 10/12/2018)
10/15/2018	<a href="#">6</a>	SUMMONS ISSUED as to defendant United States Department of Labor, U.S. Attorney and U.S. Attorney General (ems) (Entered: 10/15/2018)
11/15/2018		(NON-DOCUMENT) ATTORNEY APPEARANCE of Carolyn Ann Almassian on behalf of defendant United States Department of Labor (Almassian, Carolyn) (Entered: 11/15/2018)
11/15/2018	<a href="#">7</a>	ANSWER to complaint, <a href="#">1</a> with affirmative defenses by United States Department of Labor (Almassian, Carolyn) (Entered: 11/15/2018)

11/15/2018	<a href="#">8</a>	ORDER setting Rule 16 scheduling conference: Rule 16 scheduling conference is set for 1/2/2019 at 11:00 AM at 401 Federal Building, Grand Rapids, MI before Judge Janet T. Neff; joint status report due by 12/26/2018; signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 11/15/2018)
11/19/2018	<a href="#">9</a>	UNOPPOSED MOTION to intervene intervenor Blue Cross Blue Shield of Michigan Mutual Insurance Co. by intervenor Blue Cross Blue Shield of Michigan Mutual Insurance Co.; (Attachments: # <a href="#">1</a> Exhibit 1) (O'Reilly, Arthur) (Entered: 11/19/2018)
11/19/2018	<a href="#">10</a>	BRIEF in support of UNOPPOSED MOTION to intervene intervenor Blue Cross Blue Shield of Michigan Mutual Insurance Co. <a href="#">9</a> filed by Blue Cross Blue Shield of Michigan Mutual Insurance Co. (O'Reilly, Arthur) (Entered: 11/19/2018)
11/19/2018	<a href="#">11</a>	CERTIFICATE regarding compliance with LCivR 7.1(d) re UNOPPOSED MOTION to intervene intervenor Blue Cross Blue Shield of Michigan Mutual Insurance Co. <a href="#">9</a> filed by Blue Cross Blue Shield of Michigan Mutual Insurance Co. (O'Reilly, Arthur) (Entered: 11/19/2018)
11/20/2018		(NON-DOCUMENT) ATTORNEY APPEARANCE of Andrew J. Clopton on behalf of intervenor Blue Cross Blue Shield of Michigan Mutual Insurance Co. (Clopton, Andrew) (Entered: 11/20/2018)
11/20/2018	<a href="#">12</a>	ORDER granting <a href="#">9</a> unopposed motion for intervention; Blue Cross Blue Shield of Michigan Mutual Insurance Company, shall no later than 11/27/2018, file an answer consistent with the proposed answer; signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 11/20/2018)
11/21/2018	<a href="#">13</a>	REQUEST for pre-motion conference by plaintiff Varnum LLP <i>for Summary Judgment Motion</i> (Phelps, Aaron) (Entered: 11/21/2018)
11/21/2018	<a href="#">14</a>	ANSWER to complaint, <a href="#">1</a> with affirmative defenses by Blue Cross Blue Shield of Michigan Mutual Insurance Co. (O'Reilly, Arthur) (Entered: 11/21/2018)
11/21/2018		(NON-DOCUMENT) ATTORNEY APPEARANCE of C. Kevin Marshall on behalf of intervenor Blue Cross Blue Shield of Michigan Mutual Insurance Co. (Marshall, C.) (Entered: 11/21/2018)
11/26/2018		(NON-DOCUMENT) ATTORNEY APPEARANCE of Rebecca D'Arcy O'Reilly on behalf of intervenor Blue Cross Blue Shield of Michigan Mutual Insurance Co. (O'Reilly, Rebecca) (Entered: 11/26/2018)
11/27/2018	<a href="#">15</a>	RESPONSE TO REQUEST for pre-motion conference by plaintiff Varnum LLP <i>for Summary Judgment Motion</i> <a href="#">13</a> and Defendant United States Department of Labor's Pre-Motion Conference Request and Response to Plaintiff's Pre-Motion Conference Request; filed by United States Department of Labor (Almassian, Carolyn) Modified text on 11/29/2018 (ems). (Entered: 11/27/2018)
11/28/2018	<a href="#">16</a>	RESPONSE TO REQUEST for pre-motion conference by plaintiff Varnum LLP <i>for Summary Judgment Motion</i> <a href="#">13</a> ; filed by Blue Cross Blue Shield of Michigan Mutual Insurance Co. (O'Reilly, Arthur) (Entered: 11/28/2018)
12/04/2018	<a href="#">17</a>	ORDER scheduling a pre-motion conference regarding document number <a href="#">13</a> : pre-motion conference is set for 1/9/2019 at 02:30 PM at 401 Federal Building, Grand Rapids, MI before Judge Janet T. Neff; signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 12/04/2018)
12/04/2018	<a href="#">18</a>	ORDER rescheduling Rule 16 conference: Rule 16 scheduling conference rescheduled to 1/9/2019 at 02:30 PM at 401 Federal Building, Grand Rapids, MI before Judge Janet T. Neff; joint status report due by 1/2/2019; signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 12/04/2018)
12/04/2018	<a href="#">19</a>	RESPONSE TO <a href="#">15</a> <i>United States Department of Labor's Pre-Motion Conference Request</i> filed by intervenor Blue Cross Blue Shield of Michigan Mutual Insurance Co. (O'Reilly, Arthur) (Entered: 12/04/2018)
12/13/2018	<a href="#">20</a>	REQUEST for pre-motion conference by intervenor Blue Cross Blue Shield of Michigan Mutual Insurance Co. <i>for Summary Judgment Motion</i> (O'Reilly, Arthur) (Entered: 12/13/2018)
12/14/2018	<a href="#">21</a>	RESPONSE TO REQUEST for pre-motion conference by intervenor Blue Cross Blue Shield of Michigan Mutual Insurance Co. <i>for Summary Judgment Motion</i> <a href="#">20</a> and Department of Labor Pre-Motion Conference Request <a href="#">15</a> ; filed by Varnum LLP (Phelps, Aaron) Modified text on 12/14/2018 (ems). (Entered: 12/14/2018)
12/17/2018	<a href="#">22</a>	ORDER scheduling a pre-motion conference regarding document number <a href="#">20</a> : pre-motion conference is set for 1/9/2019 at 02:30 PM at 401 Federal Building, Grand Rapids, MI before Judge Janet T. Neff; signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 12/17/2018)

